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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
10

11 UNITED STATES OF AMERICA,)	No. 4-06-70380 WDB
)	
12 Plaintiff,)	STIPULATION AND ORDER
)	CONTINUING STATUS APPEARANCE
13 vs.)	
)	Current Date: August 30, 2006
14 STANLEY ADAMS,)	Requested Date: September 14, 2006
)	
15 Defendant.)	
)	

17 Stanley Adams is charged in the Western District of Michigan with a violation of 18
18 U.S.C. § 228(a)(1), a class B misdemeanor, for wilful failure to pay child support. Mr. Adams
19 and the United States Attorneys' Offices in the Western District of Michigan and the Northern
20 District of California have agreed that Mr. Adams will plead guilty in the Northern District of
21 California pursuant to Federal Rule of Criminal Procedure 20. However, the plea agreement has
22 not been finalized. In addition, although Mr. Adams contacted his case manager in Michigan on
23 July 5 about modifying the on-going support order, he has been informed that there will be a
24 delay in his request because Michigan needs to assume jurisdiction from Oregon to modify the
25 order. Finally, Mr. Adams and counsel have contacted the California case manager to explore
26 modification of the arrears, but the California case manager has not yet returned the calls. For

1 all of these reasons, the parties jointly request that the status appearance be moved to Thursday,
2 September 14 at 10:00 a.m.

3 To the extent that Mr. Adams has a right to be charged by Information or Indictment
4 within 20 days under Federal Rule of Criminal Procedure 5.1, Mr. Adams consents to waive that
5 right, and requests that the Court extend the time for him to be charged by Information or
6 Indictment. Such a continuance would be for good cause for the reasons described above. In
7 addition, Mr. Adams and the government stipulate that time should be excluded under the
8 Speedy Trial Act, 18 U.S.C. § 3161(h)(8)(A) and (B)(iv), because additional time is needed for
9 effective preparation of counsel, taking into account the exercise of due diligence, due to the
10 delays in communicating with the child support enforcement divisions of Michigan and
11 California and the necessity of preparing a plea agreement acceptable to both districts.

12 SO STIPULATED.

13 /S/

14 Date: August 22, 2006

15 Rebecca Sullivan Silbert
Assistant Federal Public Defender

16 /S/

17 Date: August 23, 2006

18 Michelle Morgan-Kelly
Assistant United States Attorney

19 I hereby attest that I have on file all holograph signatures for any signatures indicated by a
20 “conformed” signature (/S/) within this efiled document.

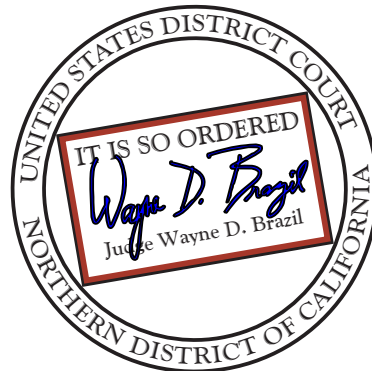
21 Based on the reasons provided in the stipulation of the parties above, the Court hereby
22 FINDS that the ends of justice served by the continuance requested herein outweigh the best
23 interest of the public and the defendant in a speedy trial because the failure to grant the
24 continuance would deny the counsel for the defendant the reasonable time necessary for effective
25 preparation, taking into account the exercise of due diligence. The Court makes this finding
26 because the defendant needs additional time to communicate with the child support divisions in

1 California and Michigan, and because the parties need additional time to draft a plea agreement
2 acceptable to both jurisdictions.

3 Based on these findings, IT IS HEREBY ORDERED THAT the above-captioned matter
4 is continued to September 14, 2006 at 10:00 a.m., and that time is excluded from August 30,
5 2006 to September 14, 2006 pursuant to 18 U.S.C. §§3161(h)(8)(A) and (B)(iv). It is further
6 ordered that good cause exists to continue the time for indictment or information.

7 IT IS SO ORDERED.

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9 Date: August 23, 2006



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Honorable Wayne D. Brazil
Magistrate Judge, United States District Court
Northern District of California